

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1749 be amended to read as follows:

- 1 Page 2, between lines 20 and 21, begin a new paragraph and insert:
- 2 "SECTION 2. IC 27-8-5-16.5, AS AMENDED BY P.L.96-2002,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2003]: Sec. 16.5. (a) As used in this section, "delivery state"
- 5 means any state other than Indiana in which a policy is delivered or
- 6 issued for delivery.
- 7 (b) Except as provided in subsection (c), (d), ~~(e)~~, or ~~(e)~~, (f), a
- 8 certificate may not be issued to a resident of Indiana pursuant to a
- 9 group policy that is delivered or issued for delivery in a state other than
- 10 Indiana.
- 11 (c) A certificate may be issued to a resident of Indiana pursuant to
- 12 a group policy not described in subsection (d) that is delivered or
- 13 issued for delivery in a state other than Indiana if:
- 14 (1) the delivery state has a law substantially similar to section 16
- 15 of this chapter;
- 16 (2) the delivery state has approved the group policy; and
- 17 (3) the policy or the certificate contains provisions that are:
- 18 (A) substantially similar to the provisions required by:
- 19 (i) section 19 of this chapter;
- 20 (ii) section 21 of this chapter; and
- 21 (iii) IC 27-8-5.6; and
- 22 (B) consistent with the requirements set forth in:
- 23 (i) section 24 of this chapter;
- 24 (ii) IC 27-8-6;

- (iii) IC 27-8-14;
- (iv) IC 27-8-23;
- (v) 760 IAC 1-38.1; and
- (vi) 760 IAC 1-39.

(d) A certificate may be issued to a resident of Indiana under ~~an association group policy~~; a discretionary group policy or a trust group policy that is delivered or issued for delivery in a state other than Indiana if:

- (1) the delivery state has a law substantially similar to section 16 of this chapter;
- (2) the delivery state has approved the group policy; and
- (3) the policy or the certificate contains provisions that are:
  - (A) substantially similar to the provisions required by:
    - (i) section 19 of this chapter;
    - (ii) section 21 of this chapter; and
    - (iii) IC 27-8-5.6; and
  - (B) consistent with the requirements set forth in:
    - (i) section 15.6 of this chapter;
    - (ii) section 24 of this chapter;
    - (iii) section 26 of this chapter;
    - (iv) IC 27-8-6;
    - (v) IC 27-8-14;
    - (vi) IC 27-8-14.1;
    - (vii) IC 27-8-14.5;
    - (viii) IC 27-8-14.7;
    - (ix) IC 27-8-14.8;
    - (x) IC 27-8-20;
    - (xi) IC 27-8-23;
    - (xii) IC 27-8-24.3;
    - (xiii) IC 27-8-26;
    - (xiv) IC 27-8-28;
    - (xv) IC 27-8-29;
    - (xvi) 760 IAC 1-38.1; and
    - (xvii) 760 IAC 1-39.

(e) **A certificate may be issued to a resident of Indiana under an association group policy that is delivered or issued for delivery in a state other than Indiana if:**

- (1) the requirements of subsection (d)(1) through (d)(3) are met; and**
- (2) the delivery state has a law that prohibits an association policy issued to cover the members of an association unless the association was organized and maintained in good faith for purposes other than that of obtaining insurance.**

(f) A certificate may be issued to a resident of Indiana pursuant to a group policy that is delivered or issued for delivery in a state other than Indiana if the commissioner determines that the policy pursuant

1 to which the certificate is issued meets the requirements set forth in  
2 section 17(a) of this chapter.

3 ~~(f)~~ (g) This section does not affect any other provision of Indiana  
4 law governing the terms or benefits of coverage provided to a resident  
5 of Indiana under any certificate or policy of insurance."

6 Page 9, line 12, delete "association." and insert association".

7 Renumber all SECTIONS consecutively.

(Reference is to HB 1749 as printed February 21, 2003.)

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Representative Fry